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DEPOSITIONS ON
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
EASTERN DISTRICT
OF NEW YORK

Sharon Pitter El, Sui Juris,

IRIZARRY, J.

Plaintiff,

-against-

Mark J. O'Brien, Steven R. Berrard,
Ellyn L. Brown, Denmar J. Dixon,
William J. Meurer, Shannon E. Smith,
Michael T. Tokarz, Charles E. Cauthen,
Kimberly A. Perez, and Kristen Aune,

Defendants.

NOTICE OF REMOVAL

CV 12 Civil Case No. 1793

AZRACK, M.J.

PLEASE TAKE NOTICE, that the defendants above-named, Mark J. O'Brien, Steven R. Berrard, Ellyn L. Brown, Denmar J. Dixon, William J. Meurer, Shannon E. Smith, Michael T. Tokarz, Charles E. Cauthen, Kimberly A. Perez and Kristen Aune (hereinafter the "Defendants"), by and through their attorneys, Carter, Conboy, Case, Blackmore, Maloney & Laird, P.C., pursuant to 28 U.S.C. §§ 1441 and 1446, hereby remove the pending action from the Supreme Court of the State of New York, County of Queens, to the United States District Court for the Eastern District of New York, by the filing of this Notice of Removal with the Clerk of the United States District Court of the Eastern District of New York. As grounds therefore, the Defendants state as follows:

1. On or about March 12, 2012, the plaintiff above-named, "Sharon Pitter El", a/k/a Sharon Pitter (hereinafter the "Plaintiff"), filed a Summons with Notice in the New

York State Supreme Court, Queens County. A copy of this Summons with Notice in the State Court action is annexed hereto and made a part hereof as Exhibit "A".

2. The Defendants were purportedly served with the Summons with Notice on or about March 16, 2012.¹

3. This Notice of Removal is filed within thirty (30) days after the Summons with Notice was first served on any defendant, as required by 28 U.S.C. §1446(b).

4. Copies of the written notices required by 28 U.S.C. §1446(d), addressed to the Plaintiff and to the Clerk of the New York State Supreme Court, Queens County, are annexed hereto and made a part hereof as Exhibit "B". Upon the Defendants' receipt of a Civil Case Number for this action, said notices will be filed with the Clerk of the State Court and served upon the Plaintiff in accordance with the provisions of 28 U.S.C. §1441(d).

5. Defendants remove this action to the United States District Court for the Eastern District of New York pursuant to the provisions of 28 U.S.C. §1441(a), on the ground that this Court has original jurisdiction pursuant to 28 U.S.C. §1331. The claims set forth in the Summons with Notice raise questions of federal law because the Plaintiff alleges that the Defendants have violated the United States Constitution and the United States Code Titles 15 and 18.

6. Accompanying this Notice of Removal are a Civil Cover Sheet and a check in the amount of \$350 for the required filing fee.

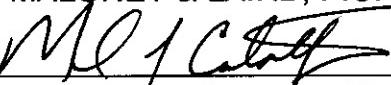
¹ Defendants do not waive the defense of improper service of process.

WHEREFORE, the Defendants remove the State Court action from the New York State Supreme Court, Queens County, to this Court and respectfully request that this Court take jurisdiction of this civil action to the exclusion of any further proceedings in said State Court..

DATED: April 6, 2012

CARTER, CONBOY, CASE, BLACKMORE,
MALONEY & LAIRD, P.C.

By:


MICHAEL J. CATALFIMO
Bar Roll No.: MC-1002
Attorneys for Defendants
Office and P.O. Address
20 Corporate Woods Boulevard
Albany, NY 12211-2362
Phone: (518) 465-3484
E-Mail: mcatalfimo@carterconboy.com

CC: SHARON PITTER EL
Plaintiff, *Pro Se*
16127 118th Road
Jamaica, NY 11434

1 SUPREME COURT OF THE STATE OF NEW YORK
2 COUNTY OF QUEENS

3 AFFIDAVIT OF FACT

SUMMONS WITH NOTICE

4 Index No. 5294/2012

5 Sharon Pitter El, Sui Juris)
6 Plaintiff(s),)
7 vs.) Date Index No. Purchased
8 Mark J. O'Brien, Steven R. Berrard,) March 12, 2012
9 Ellyn L. Brown, Denmar J. Dixon,)
10 William J. Meurer, Shannon E.)
11 Smith, Michael T. Tokarz, Charles)
12 E. Cauthen, Kimberly A. Perez,)
13 Kristen Aune)
14 Defendant (s))
15)

16 _____
17 To the Person(s) Named as Defendant(s) above:

18 PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to appear in
19 this action by serving a notice of appearance on the
20 plaintiff(s) at the address set forth below, and to do so within
21 20 days after the service of this Summons (not counting the day
22 of service itself), or within 30 days after service is complete
23 if the summons is not delivered personally to you within the
24 State of corporate New York.
25
26
27
28

1 YOU ARE HEREBY NOTIFIED THAT should you fail to answer or
2 appear, a judgment will be entered against you by default for
3 the relief demanded below.

4 Dated: March 12 2012

5 161-27 118th Road Jamaica Territory, New York

6 Republic [11434] North Amexem

7 All Rights Reserved

8 U.C.C 1-207/1-308; U.C.C. 1-103

9 Your address and telephone number

10 Defendant (S) c/o Green Tree Servicing LLC a Subsidiary of Walter Investment Corporation
11 1160 Centre Pointe Drive Suite 1 Mendota Heights, Minnesota 55120

12 Address(es) of party being sued

13 Notice The nature of this action is:

14 Violation of -

15 a) Bills of Rights IV Amendment (The right of the people to be
16 secure in their persons, houses, papers, and effects, against
17 unreasonable searches and seizures.

18 b) U.S.C. Title 18 chapter 63 section 1341(Frauds and Swindles)

19 c) U.S.C. Title 18 chapter 47 section 1001 (Statements or
20 Entries Generally)

21 d) U.S.C. Title 18 chapter 63 section 1349 (Attempt and
22 Conspiracy)

23 e) U.S.C. Title 18 chapter 19 section 373 (Solicitation to
24 commit a crime of Violence)

1 f) U.S.C Title 15 chapter 41 section 1692e (False or Misleading
2 Representation)

3 g) U.S.C Title 15 chapter 41 section 1692d (Harassment or Abuse)

4 h) U.S.C Title 15 chapter 41 section 1692g (Validation of Debts)

6 The relief sought is:

7 1. Produce the Deed of Trust associated with the Loan(s)
8 numbered 680587318 and 683622757 from your Agency (Green Tree
9 Servicing LLC a wholly owned subsidiary of Walter Investment
10 Management Corporation).

11 2. Produce the "Original" certified Promissory Note (front and
12 back) along with all "Allonges" and "Affixations" associated with
13 the Loan(s) numbered 680587318 and 683622757 from an Agent or
14 Agency under the umbrella of Green Tree Servicing LLC. (H.R.
15 1618)

16 *All Resceit will be under the Penalty of Perjury, and agreed to
17 be prosecuted to the fullest extent by law.

18 Should defendant(s) fail to appear herein, judgment will be
19 entered by default for the sum of \$3,000,000.00 with interest
20 from the date of May 21, 2011 and the costs of this action.

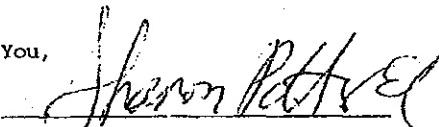
21 Venue:

22 Plaintiff(s) designate County as the place of trial

23 The basis of this designation is:

- 1 Plaintiff(s) residence in QUEENS County
2 Defendant(s) residence in _____ County
3 Other [See CPLR Article 5] _____
4
5
6

7 Thank You,

8 I am: 

9 Sharon Pitter El, Authorized Representative

10 Natural Person, In Propria Persona:

11 Ex Relatione SHARON N. PITTER

12 All Rights Reserved: U.C.C. 1-207/ 1-308;

13 U.C.C. 1-103

14
15 RAMNIK SINGH
16 Notary Public - State of New York
17 No. 01 SI6227144
18 Qualified in Nassau County
19 My Commission Expires August 23, 2014
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28

STATE OF NEW YORK
SUPREME COURT

COUNTY OF QUEENS

Sharon Pitter El, Sui Juris,

Plaintiff,

-against-

Mark J. O'Brien, Steven R. Berrard,
Ellyn L. Brown, Denmar J. Dixon, William
J. Meurer, Shannon E. Smith, Michael T.
Tokarz, Charles E. Cauthen, Kimberly
A. Perez and Kristen Aune,

Defendants.

NOTICE TO ADVERSE PARTY OF
FILING OF NOTICE OF REMOVAL TO THE
UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK
Index No. 5294/2012

TO: **SHARON PITTER EL**
Plaintiff, Pro Se
16127 118th Road
Jamaica, NY 11434

PLEASE TAKE NOTICE, that a Notice of Removal of this action has been filed in the United States District Court for the Eastern District of New York. Attached is a copy of this Notice of Removal, the filing of which effects the removal of this action to the United States District Court for the Eastern District of New York.

DATED: April ___, 2012

CARTER, CONBOY, CASE, BLACKMORE,
MALONEY & LAIRD, P.C.

By: _____

MICHAEL J. CATALFIMO
Attorneys for Defendants
Office and P.O. Address
20 Corporate Woods Boulevard
Albany, NY 12211-2362
Phone: (518) 465-3484

STATE OF NEW YORK
SUPREME COURT

COUNTY OF QUEENS

Sharon Pitter El, Sui Juris,

Plaintiff,

-against-

Mark J. O'Brien, Steven R. Berrard,
Ellyn L. Brown, Denmar J. Dixon, William
J. Meurer, Shannon E. Smith, Michael T.
Tokarz, Charles E. Cauthen, Kimberly
A. Perez and Kristen Aune,

NOTICE OF FILING OF
NOTICE OF REMOVAL
Index No. 5294/2012

Defendants.

**CLERK OF THE SUPREME COURT OF
THE STATE OF NEW YORK, COUNTY OF QUEENS:**

You are hereby advised that a Notice of Removal of the above-entitled action pursuant to 28 U.S.C. § 1441(b) was filed in the United States District Court for the Eastern District of New York on April __, 2012 under Case No. _____. A true and correct copy of said Notice of Removal is annexed hereto as Exhibit "A" and made a part hereof. Pursuant to 28 U.S.C. §1446(d), this Court "shall proceed no further unless and until the case is remanded."

DATED: April __, 2012

CARTER, CONBOY, CASE, BLACKMORE,
MALONEY & LAIRD, P.C.

By: _____
MICHAEL J. CATALFIMO
Attorneys for Defendants
Office and P.O. Address
20 Corporate Woods Boulevard
Albany, NY 12211-2362
Phone: (518) 465-3484

CC: SHARON PITTER EL
Plaintiff, *Pro Se*
16127 118th Road
Jamaica, NY 11434